

PATENT

Case Docket No. ELITRA.001DV1

Date: November 7, 2003

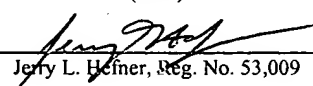
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Zyskind, et al.
Appl. No. : 09/912,020
Filed : July 23, 2001
For : GENES IDENTIFIED AS
REQUIRED FOR
PROLIFERATION IN
ESCHERICHIA COLI
Examiner : Jon E. Angell
Group Art Unit : 1635

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

November 7, 2003

(Date)


Jerry L. Hefner, Reg. No. 53,009

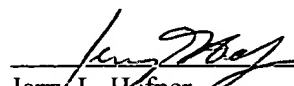
TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) A Supplemental Information Disclosure Statement.
- (X) A PTO Form 1449 with one (1) reference.
- (X) A check in the amount of \$180 to cover the above fee is enclosed.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.


Jerry L. Hefner
Registration No. 53,009
Attorney of Record
Customer No. 20,995
(619) 235-8550

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicant : Zyskind, et al.
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is form PTO-1449 listing one (1) reference that is also enclosed. This reference relates in part to the *E. coli* gene *rfaE* (which corresponds to the gene encoding the WaaE polypeptide). Applicants note that the Valvano reference submitted in the IDS mailed July 23, 2001 also relates to the *rfaE* gene.

This Information Disclosure Statement is being filed after the mailing date of a final action under 37 C.F.R. § 1.113. This Statement is accompanied by the fee set forth in 37 C.F.R. § 1.17(p). The Commissioner is hereby authorized to charge any additional fees which may be required or to credit any overpayment to Account No. 11-1410. A certification under 37 C.F.R. § 1.97(e) is set forth below.

CERTIFICATION UNDER 37 C.F.R. § 1.97(e)(2)

I hereby certify that no item of information contained in this Statement was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than 3 months prior to the filing of this Information Disclosure Statement.

11/13/2003 MBELETE1 00000090 09912020

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Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: November 7, 2003

By: Jerry L. Hefner
Jerry L. Hefner
Registration No. 53,009
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Customer No. 20,995
(619) 235-8550

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
ELITRA.001DV1APPLICATION NO.
09/912,020SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT
BY APPLICANTAPPLICANT
Zyskind, et al.FILING DATE
July 23, 2001GROUP
1635

USE SEVERAL SHEETS IF NECESSARY)

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)	
	1	Gerdès, et al. 2003. Experimental determination and system level analysis of essential genes in <i>Escherichia coli</i> MG1655. <i>Journal of Bacteriology</i> , 185(19):5673-5684. [with supplemental data]

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EXAMINER	DATE CONSIDERED
<p>*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.</p>	